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REMARKS

Claims 1-12 were originally presented in the subject application, and claims 13-16 added during prosecution. No claims have herein been added or canceled. Claims 1 and 11 have herein been amended to expressly include a definition previously indirectly present, and claim 16 has been amended as requested in the final Office Action. Therefore, claims 1-16 remain in this case.

The addition of new matter has been scrupulously avoided. In that regard, support for the common amendment to claims 1 and 11 can be found in the specification at, for example, page 3, lines 18-20. Support for the amendment to claim 16 can be found, for example, in claim 16 as originally filed.

Applicants respectfully request reconsideration and withdrawal of the various grounds of rejection.

The final Office Action rejected claim 16 under 35 U.S.C. §112, as allegedly incomplete for omitting essential steps amounting to a gap between the steps, citing MPEP 2172.01. In particular, the final Office Action alleged that the following step was missing:

...accessing, by the apparatus with a limited Java Virtual Machine, a full Java Virtual Machine residing at a computing unit.

While Applicants continue to disagree as to the need for the amendment, Applicants have nonetheless amended claim 16 as requested in the final Office Action. However, Applicants have only done so to advance prosecution, and because the amendment is not considered to add anything that was not already present. The aspect added was already present by virtue of the fact that the accessing aspect recites “*by said* apparatus” (italics added), which has already been designated in the providing aspect as having a limited Java Virtual Machine.

As amended, Applicants submit that claim 16 satisfies the request made in the final Office Action, and, therefore, overcomes the stated rejection.

The final Office Action rejected claims 1, 2, 5-7, 9 and 11-15 under 35 U.S.C. §102(e), as allegedly anticipated by Wilkinson et al. (U.S. Patent No. 6,308,317). Applicants respectfully, but most strenuously, traverse this rejection.

With respect to the anticipation rejection, it is well settled that a claimed invention is not anticipated unless a single prior art reference discloses: (1) all the same elements of the claimed invention; (2) found in the same situation as the claimed invention; (3) united in the same way as the claimed invention; (4) in order to perform the identical function of the claimed invention. In this instance, Wilkinson et al. fails to disclose at least one element of each of the independent claims and as a result does not anticipate, or even render obvious, applicants' invention.

Amerided claim 1 recites a method for providing a set of software components for component-oriented software development. The method comprises providing a set of software components out of which a software application to be executed by an apparatus comprising processor means and memory means can be partly or entirely assembled. The method also comprises assigning a different numeric identifier to each component of the set of software components, and storing each assigned numeric identifier in the corresponding component. Software components are expressly defined as self-contained, reusable software units that can be visually composed into applets or applications using visual application builder tools.

As noted in Applicants' prior response, a definition for the term "software components" exists in the present application. However, the Advisory Action apparently refused to recognize that definition. In order to advance prosecution, Applicants have amendment independent claims 1 and 11 to expressly recite that definition. Since definitions need not be expressly set forth in a claim, and the definition was already part of the claim indirectly through use of the term that was defined in the specification, Applicants do not view this amendment as further limiting the claims.

One example given in the present application of the claimed software component is a JavaBean. While the claim does not recite a JavaBean, that is one example, and it is interesting to note that Wilkinson et al. never once refers to a JavaBean, instead referring only to "card applications." Applicants submit there is no evidence that anything in Wilkinson et al. conforms to the definition of "software component," which is now expressly present in claim 1.

As another example, the cited section of Wilkinson et al. fails to disclose storing each assigned numeric identifier in the corresponding component. In contrast, the strings in the Java class file constant pool are replaced with the integers/IDs. See Wilkinson et al. at column 9, lines 35-37. The integers/IDs are not stored in the elements represented by the strings.

Therefore, Applicants submit that claim 1 cannot be anticipated by, or made obvious over, Wilkinson et al.

The comments made above with respect to claim 1 are also applicable to claim 11.

Applicants submit that the dependent claims not specifically addressed herein are allowable for the same reasons as the independent claims from which they directly or ultimately depend, as well as for their additional limitations.

For example, each of claims 14 and 15 recites: a set of software components capable of at least one of being, subsequent to being partly or entirely assembled into the software application, updated by updating at least one software component of the set of software components and supplemented by adding at least one software component to the set of software components.

Against claims 14 and 15, the final Office Action cites, in part, to column 10, lines 6-13 of Wilkinson et al. However, Applicants submit that the "modifying" referred to therein is actually a conversion of unsupported byte codes to functionally equivalent, but supported byte codes. See Wilkinson et al. at column 10, lines 34-40.

Since byte codes are compiled Java source code, and the modifying in Wilkinson et al. is a conversion of the byte codes into supported byte codes, Applicants submit that updating a software component (defined in the present application) is simply not the same. Moreover, there is without question no disclosure of adding any software components as claimed. As to the "capable of" argument in the Advisory Action, Applicants submit that there is no disclosure, teaching or suggestion of the claimed capabilities, and, therefore the Wilkinson et al. invention is not capable of doing what is claimed without resort to the present specification.

Therefore, Applicants submit that claims 14 and 15 cannot be anticipated by, or made obvious over, Wilkinson et al.

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CONCLUSION

For all the above reasons, Applicants maintain that the claims of the subject application define patentable subject matter and earnestly request allowance of claims 1-16.

If a telephone conference would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided.

Respectfully submitted,

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